

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being sent via facsimile on August 9, 2006, to Office of Petitions and Vickie Y. Kim at facsimile number 571.273.0025 located at Mail Stop 313(c), Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Nancy Foster**PATENT**

Customer No. 22,852

Attorney Docket No. 04012.0373-02000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE RECEIVED

In re Application of:

R. W. ESMOND et al.

Patent No. 7,094,793

Application No.: 10/669,217

Scheduled Issue Date: August 22, 2006

Filed: September 23, 2003

For: METHOD FOR TREATING OR
PREVENTING ALZHEIMER'S
DISEASE

Group Art Unit: 1618

Examiner: Vickie Y. KIM

Confirmation No.: 2163

AUG 09 2006

OFFICE OF PETITIONS

Mail Stop 313(c)

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

PETITION UNDER 37 C.F.R. § 1.313(c)

Pursuant to 37 C.F.R. § 1.313(c), Applicants hereby respectfully petition the Commissioner to withdraw the above-identified application from issue. According to the fee schedule set forth in 37 C.F.R. § 1.17(i), please charge \$130.00 to Deposit Account No. 06-0916 for the Petition fee.

This request for a withdrawal from issue of a prospective United States patent is made for the causes set forth below, which it is respectfully submitted constitute good and sufficient reasons for the action sought.

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This request for withdrawal from issue is made so that the United States Patent and Trademark Office can consider several references not currently of record in this application. Applicants hereby request that the Examiner consider the references listed on the Supplemental Information Disclosure Statement in the Request for Continued Examination filed concurrently herewith.

In view of the foregoing, Applicants respectfully request that this application be withdrawn from issue.

If any additional fees are necessitated in regard to the filing of this paper, please charge the cost to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: August 9, 2006

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